

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :  
: 15-CR-66 (SJ)  
v. :  
: March 19, 2015  
TAMERA MARIE KEENEY, : Brooklyn, New York  
: Defendant.  
:-----X

TRANSCRIPT OF CRIMINAL CAUSE FOR PLEADING  
BEFORE THE HONORABLE ROANNE L. MANN  
UNITED STATES MAGISTRATE JUDGE

## APPEARANCES:

For the Government: UNITED STATES ATTORNEY  
BY: RYAN C. HARRIS, ESQ.  
ASSISTANT U.S. ATTORNEY

For the Defendant: PETER KIRCHHEIMER, ESQ.  
Federal Defenders of New York, Inc.  
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Brooklyn, New York 11201

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I N D E X

Defendant Sworn at Page 3

1                   THE CLERK: Criminal Cause for Pleading, docket  
2 number 15-CR-66, United States v. Keeney. Counsel, please state  
3 your appearance for the record.

4                   MR. HARRIS: Brian Harris for the United States.  
5 Good afternoon, Your Honor.

6                   THE COURT: Good afternoon.

7                   MR. KIRCHHEIMER: Federal Defenders by Peter  
8 Kirchheimer for Ms. Keeney. Ms. Keeney is sitting next to me.  
9 Good afternoon, Judge.

10                  THE COURT: Good afternoon. Welcome to all of you.  
11 And I invite you to remain seated during this proceeding so  
12 you'll be closer to the microphones.

13                  At this time I'm going to ask Ms. Keeney to stand so  
14 my law clerk, Ms. Williams, can administer the oath.

15                  THE CLERK: Please raise your right hand.

16 (AT THIS TIME THE DEFENDANT, TAMERA KEENEY, WAS SWORN.)

17                  THE CLERK: Please state your full name and spell  
18 your last name for the record.

19                  THE DEFENDANT: Tamera Marie Keeney, K-E-E-N-E-Y.

20                  THE COURT: All right. Thank you. Please be seated.  
21 Ms. Keeney, you should understand that having been sworn your  
22 answers to my questions will be subject to the penalties of  
23 perjury if you do not answer truthfully. Do you understand  
24 that?

25                  THE DEFENDANT: Yes, Your Honor.

1                   THE COURT: Ms. Keeney, how old are you?

2                   THE DEFENDANT: I am 50.

3                   THE COURT: How far did you go in school?

4                   THE DEFENDANT: Twelfth grade.

5                   THE COURT: Are you a high school graduate?

6                   THE DEFENDANT: Yes, I am.

7                   THE COURT: Are you now or have you recently been  
8 under the care of a doctor or psychiatrist?

9                   THE DEFENDANT: Yes, ma'am.

10                  THE COURT: What kind of medical provider have you  
11 been getting treatment from?

12                  THE DEFENDANT: I have a therapist, I have a  
13 psychiatrist, and I have a general practitioner.

14                  THE COURT: And when you say a therapist, you mean a  
15 psychologist or social worker?

16                  THE DEFENDANT: I have both.

17                  THE COURT: In addition to a psychiatrist?

18                  THE DEFENDANT: Yes.

19                  THE COURT: And for what condition or problem?

20                  THE DEFENDANT: For PTSD, bi-polar, anxiety.

21                  THE COURT: I assume you're getting medication,  
22 prescribed medication for those problems?

23                  THE DEFENDANT: Yes, Your Honor.

24                  THE COURT: What medications have you been  
25 prescribed?

1                   THE DEFENDANT: To the best of my knowledge, I didn't  
2 bring a piece of paper with me, I take Latuda. That is a mood  
3 stabilizer. I take Lithium, which is also a mood stabilizer.  
4 I take Chlorazepam which is anti-anxiety. I take Lyrica which  
5 is I guess it would be a painkiller. I take Mirapex which is  
6 for restless leg syndrome. And I take --

7                   MR. KIRCHHEIMER: Chlorazepam.

8                   THE DEFENDANT: Chlorazepam. I said Chlorazepam.

9                   THE COURT: You did.

10                  THE DEFENDANT: Yeah. I'm sure there's one or two  
11 more that I can't remember what they are. There's -- it begins  
12 with a P.

13                  THE COURT: A B or a P?

14                  THE DEFENDANT: A P. They're fairly new to me.

15                  MR. KIRCHHEIMER: Prednisone?

16                  THE DEFENDANT: You have the paper, don't you?

17                  THE COURT: Prednisone?

18                  THE DEFENDANT: No. I take Prednisone as an inhaler.

19                  THE COURT: And the painkiller is for what condition  
20 or problem?

21                  THE DEFENDANT: It's for my back and my sciatic  
22 nerve. I have a hard time walking.

23                  THE COURT: You haven't had surgery, have you?

24                  THE DEFENDANT: Not yet. I'm still doing physical  
25 therapy.

1                   MR. KIRCHHEIMER: Judge, I have from her clinic, I  
2 have a list of the meds if you want me to read them into the  
3 record.

4                   THE COURT: All right. That would --

5                   MR. KIRCHHEIMER: Lyrica, Dexilant, Mirapex,  
6 Thyroxine --

7                   THE DEFENDANT: Thyroid.

8                   MR. KIRCHHEIMER: -- Advair --

9                   THE DEFENDANT: That's an inhaler.

10                  MR. KIRCHHEIMER: Yeah, an inhaler for something.  
11 Abilify and Sertrane and Lumicia [Ph.]. Those are the meds  
12 listed in the --

13                  THE DEFENDANT: I don't take the Abilify anymore.

14                  MR. KIRCHHEIMER: Okay.

15                  THE COURT: What is the inhaler for?

16                  THE DEFENDANT: It's for asthma and COPD.

17                  THE COURT: And you said you also have a general  
18 practitioner.

19                  THE DEFENDANT: Yes.

20                  THE COURT: Is he or she dealing with the COPD as  
21 well as the back problems?

22                  THE DEFENDANT: Yes.

23                  THE COURT: In the past 24 hours, have you taken any  
24 drugs, medicine, pills, or narcotics other than your prescribed  
25 medications?

1                   THE DEFENDANT: No, Your Honor.

2                   THE COURT: Have you drunk any alcoholic beverages  
3 within the past 24 hours.

4                   THE DEFENDANT: No, Your Honor.

5                   THE COURT: And did you take your prescribe  
6 medication as prescribed within the last day?

7                   THE DEFENDANT: Within the last day, yes.

8                   THE COURT: Have you ever been hospitalized or  
9 treated for substance abuse or for any mental or emotional  
10 problem other than your current treatment for --

11                  THE DEFENDANT: Yes, I have.

12                  THE COURT: Do you want to tell me your history?  
13 Have you ever been hospitalized for any mental or emotional  
14 problem?

15                  THE DEFENDANT: (Crying). Yes, I have.

16                  THE COURT: How long ago?

17                  THE DEFENDANT: (Crying). The last one was probably  
18 four months ago.

19                  THE COURT: And was that on a voluntary basis?

20                  THE DEFENDANT: Yes.

21                  THE COURT: How long were you hospitalized?

22                  THE DEFENDANT: A week.

23                  THE COURT: And that was -- and then you were  
24 discharged?

25                  THE DEFENDANT: Yes.

1                   THE COURT: And did you have any prior history of any  
2 hospitalization?

3                   THE DEFENDANT: I've been hospitalized 12 times,  
4 ma'am for either (crying) -- I have mental conditions.

5                   THE COURT: Have you ever been hospitalized or  
6 treated for a narcotic condition or any other kind of substance  
7 abuse?

8                   THE DEFENDANT: No, Your Honor.

9                   MR. KIRCHHEIMER: I'm sorry, I believe my client  
10 answered hospitalized and not the treated. She's currently  
11 under treatment --

12                  THE COURT: Can you keep your voice up?

13                  MR. KIRCHHEIMER: She's currently under treatment at  
14 a clinic in Connecticut.

15                  THE DEFENDANT: Yes, I am being treated. I've never  
16 been hospitalized.

17                  THE COURT: And you're being treated for what kind of  
18 substance abuse?

19                  THE DEFENDANT: For alcohol and for cocaine.

20                  THE COURT: And prior to that current treatment, had  
21 you ever received any treatment, not as distinguished from  
22 hospitalization, but any kind of treatment for any substance  
23 abuse including alcoholism?

24                  THE DEFENDANT: No, Your Honor.

25                  THE COURT: Is your mind clear now?

1                   THE DEFENDANT: Yes, Your Honor.

2                   THE COURT: Do you understand what's going on here  
3 now?

4                   THE DEFENDANT: Yes, I do.

5                   THE COURT: Mr. Kirchheimer, have you discussed the  
6 matter of pleading guilty with your client?

7                   MR. KIRCHHEIMER: I have, Judge.

8                   THE COURT: In your view, does she understand the  
9 rights she'll be waiving by pleading guilty?

10                  MR. KIRCHHEIMER: Yes.

11                  THE COURT: Is she capable of understanding the  
12 nature of these proceedings?

13                  MR. KIRCHHEIMER: I believe so.

14                  THE COURT: Do you have any doubt as to her  
15 competence to plead at this time?

16                  MR. KIRCHHEIMER: No.

17                  THE COURT: Have you advised her of the maximum  
18 sentence and fine that can be imposed and have you discussed  
19 with her the effect of the sentencing guidelines?

20                  MR. KIRCHHEIMER: Yes, Judge.

21                  THE COURT: Ms. Keeney, I have before me a consent to  
22 have a plea taken before a United States Magistrate Judge. Is  
23 that your signature on the defendant's signature line?

24                  THE DEFENDANT: Yes, Your Honor.

25                  THE COURT: Have you read this document and discussed

1 it with Mr. Kirchheimer?

2 THE DEFENDANT: I've been made aware of what's on it.  
3 I have not read it.

4 THE COURT: But you have signed it?

5 THE DEFENDANT: Yes.

6 THE COURT: And you understand that this document  
7 provides that the plea will be held before a magistrate judge  
8 as opposed to a district judge, Judge Johnson, who's handling  
9 the case?

10 THE DEFENDANT: Yes, Judge.

11 THE COURT: Judge Johnson is the judge who will  
12 sentence you and make the ultimate decision as to whether to  
13 accept your guilty plea. If you wish, you have the absolute  
14 right to have Judge Johnson listen to your plea and if you  
15 choose to do that, there will be no prejudice or harm to you.  
16 Do you understand that?

17 THE DEFENDANT: Yes, Your Honor.

18 THE COURT: On the other hand, if you wish, I will  
19 listen to your plea. I'm a United States Magistrate Judge.  
20 This proceeding is being recorded. A transcript will be made  
21 of the proceeding and Judge Johnson will review it to decide  
22 whether to accept your plea. He'll also review it in  
23 connection with your sentence. Do you understand that?

24 THE DEFENDANT: Yes, Your Honor.

25 THE COURT: Understanding what I've just told you, do

1 you wish to give up your right to have Judge Johnson listen to  
2 your plea and are you prepared to proceed before me at this  
3 time?

4 THE DEFENDANT: Yes, Your Honor.

5 THE COURT: Do you make this decision voluntarily and  
6 of your own free will?

7 THE DEFENDANT: Yes, Your Honor.

8 THE COURT: Have any threats or promises been made to  
9 you to get you to agree to have me hear your plea?

10 THE DEFENDANT: No, Your Honor.

11 THE COURT: I find that the defendant's consent is  
12 knowing, intelligent, and voluntary.

13 Ms. Keeney, have you discussed your case with Mr.  
14 Kirchheimer and are you satisfied to have him represent you?

15 THE DEFENDANT: Yes, I am, Your Honor.

16 THE COURT: Have you received a copy of the  
17 indictment that's been filed against you?

18 THE DEFENDANT: Yes, I have, Your Honor.

19 THE COURT: Have you consulted with Mr. Kirchheimer  
20 about the indictment?

21 THE DEFENDANT: Yes, Your Honor.

22 THE COURT: The indictment contains two counts or  
23 charges. I understand you're prepared to plead guilty both of  
24 those counts. Count 1 is the importation of cocaine charge.  
25 More specifically, it alleges that on approximately January

1 20th of this year you knowingly and intentionally imported  
2 cocaine into the United States.

3 Count 2, entitled possession of cocaine with intent  
4 to distribute, charges that on that same day you knowingly and  
5 intentionally possessed cocaine with the intent to distribute  
6 it.

7 In order to prove you guilty of Count 1, the  
8 Government would have to prove the following beyond a  
9 reasonable doubt.

10 First, that on that approximate date you did in fact  
11 import, that is bring into the United States or cause to be  
12 brought into the United States, a certain substance.

13 Second, the Government would have to prove that that  
14 substance was in fact cocaine.

15 Third, the Government would have to prove that you  
16 acted knowingly and intentionally, that you knew that the  
17 substance was cocaine or some illegal narcotic drug, and that  
18 you did not act out of some mistake or innocent reason. Do you  
19 understand that charge?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: The possession count, in order to prove  
22 the possession of cocaine with intent to distribute it, the  
23 Government would have to prove the following beyond a  
24 reasonable doubt. First, that on that same date, January 20,  
25 2015, you possessed cocaine. That is you had it within your

1 custody or control.

2                   Second, that you acted knowingly and intentionally  
3 knowing that it was cocaine or some illegal narcotic drug, and  
4 possessing it with the intent to distribute it. That is to  
5 transfer or sell to another individual. Do you understand that  
6 charge?

7                   THE DEFENDANT: Yes, Your Honor.

8                   THE COURT: I now want to talk with you about the  
9 rights that you'll be giving up by pleading guilty, but the  
10 first and most important thing you have to understand is that  
11 you have an absolute right to plead not guilty. Do you  
12 understand that?

13                   THE DEFENDANT: Yes, Your Honor.

14                   THE COURT: If you plead not guilty, then under the  
15 constitution and laws of the United States, you're entitled to  
16 a speedy and public trial by jury with the assistance of  
17 counsel on the charges contained in the indictment against you.  
18 Do you understand that?

19                   THE DEFENDANT: Yes, Your Honor.

20                   THE COURT: You have the right to be represented by  
21 an attorney and if necessary to have the court appoint an  
22 attorney not only at trial but at every other stage of the  
23 proceeding. Do you understand that?

24                   THE DEFENDANT: Yes, Your Honor.

25                   THE COURT: At the trial you would presumed to be

1 innocent and the Government would have to overcome that  
2 presumption and prove you guilty by competent evidence and  
3 beyond a reasonable doubt. You would not have to prove that  
4 you were innocent. And if the Government failed to prove you  
5 guilty beyond a reasonable doubt, the jury would have the duty  
6 to find you not guilty. Do you understand that?

7 THE DEFENDANT: Yes, Your Honor.

8 THE COURT: In the course of the trial, the witnesses  
9 for the Government would have to come to court and testify in  
10 your presence and your attorney would have the right to cross  
11 examine the witnesses for the Government, to object to evidence  
12 offered by the Government, to compel the attendance of  
13 witnesses, and to offer evidence on your behalf. Do you  
14 understand that?

15 THE DEFENDANT: Yes, Your Honor.

16 THE COURT: At a trial, while you would have the  
17 right to testify if you chose to do so, you could not be  
18 required to testify. Under the Constitution of the United  
19 States, you cannot be compelled to incriminate yourself. If  
20 you decided not to testify, the court would, at your lawyer's  
21 request, instruct the jurors that they could not hold that  
22 against you. Do you understand that?

23 THE DEFENDANT: Yes, Your Honor.

24 THE COURT: If you plead guilty and the court accepts  
25 your plea, you'll be giving up your right to a trial and the

1 other rights that I've just discussed. There will be no  
2 further trial of any kind and no right of appeal from the  
3 judgment of guilty. The court will simply enter a judgment of  
4 guilty on the basis of your guilty plea. Do you understand  
5 that?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: If you plead guilty, I'll have to ask you  
8 questions about what you did in order to satisfy myself and  
9 Judge Johnson that you are in fact guilty of the charges to  
10 which you seek to plead guilty and you'll have to answer my  
11 questions and admit your guilt. In that way you'll be giving  
12 up your right not to incriminate yourself. Do you understand  
13 that?

14 THE DEFENDANT: Yes, Your Honor.

15 THE COURT: Are you willing to give up your right to  
16 a trial and the other rights that I've just discussed?

17 THE DEFENDANT: Yes, I am, Your Honor.

18 THE COURT: I understand that there is no written  
19 agreement between the defense and the Government. Mr.  
20 Kirchheimer, are there any oral understandings?

21 MR. KIRCHHEIMER: There are not, Judge.

22 THE COURT: Ms. Keeney, do you agree with what your  
23 lawyer just said?

24 THE DEFENDANT: Yes, Your Honor.

25 THE COURT: And Mr. Harris, that's the Government's

1 position as well?

2 MR. HARRIS: Yes, it is.

3 THE COURT: Ms. Keeney, I now want to talk with you  
4 about the sentencing scheme that's applicable here. The  
5 statute that you're accused of violating in Count 1 carries a  
6 prison term of up to 20 years, and the statute that you're  
7 accused of violating in Count 2 also carries a maximum prison  
8 term of up to 20 years for a maximum potential exposure of up  
9 to 40 years in prison. Do you understand that?

10 THE DEFENDANT: Yes, I do, Your Honor.

11 THE COURT: In addition to a prison term, the  
12 sentencing court will impose a supervised release term to  
13 follow any term of imprisonment. The minimum supervised  
14 release term on each count is up to three years and the  
15 supervised release term can be as long as life. If you  
16 violated a condition of supervised release, you could then be  
17 sentenced to up to two years on each count without credit for  
18 any time already spent in prison and without credit for any  
19 time previously served on post release supervision. Do you  
20 understand that?

21 THE DEFENDANT: Yes, Your Honor.

22 THE COURT: In addition to a prison term and  
23 supervised release term, the sentencing court can also impose a  
24 fine of up to \$1 million on each count for a total potential  
25 fine of up to \$2 million. Do you understand that?

1                   THE DEFENDANT: Yes, Your Honor.

2                   THE COURT: The sentencing court will also impose a  
3 mandatory \$100.00 special assessment on each count for a total  
4 special assessment of \$200. Do you understand that?

5                   THE DEFENDANT: Yes, Your Honor.

6                   THE COURT: I now want to talk with you about the  
7 sentencing guidelines. Under the Sentencing Reform Act of 1984  
8 the United States Sentencing Commission has issued guidelines  
9 for judges to consider in determining the sentence in a  
10 criminal case. In determining the sentence the court is  
11 obligated to calculate the applicable sentencing guideline  
12 range and to consider that range, possible departures under the  
13 guidelines, and other sentencing factors including those  
14 specified by statute.

15                  Ms. Keeney, have you and Mr. Kirchheimer talked about  
16 how the guidelines might apply to your case?

17                  THE DEFENDANT: Yes, Your Honor.

18                  THE COURT: You should understand that Judge Johnson  
19 will not be able to do the guideline calculation for your case  
20 until after the Probation Department has prepared a pre-  
21 sentence report and you and your attorney have had an  
22 opportunity to read it and to challenge the facts reported by  
23 the probation officer. Do you understand that?

24                  THE DEFENDANT: Yes, Your Honor.

25                  THE COURT: You should also understand that after

1 it's been determined what guideline applies to a case, the  
2 judge has the authority to impose a sentence that is more  
3 severe or less severe than the sentence called for by the  
4 guidelines depending on what is a reasonable sentence. Do you  
5 understand that?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: I'm now going to ask the attorneys to  
8 give their best estimate of what the guideline range of  
9 imprisonment is likely to be, but I want you to keep in mind  
10 that the attorneys' estimates are not binding upon Judge  
11 Johnson. It will be up to him to do his own calculation under  
12 the guidelines to determine the applicable guideline range and  
13 then to decide whether or not to sentence within that range or  
14 not. Do you understand that?

15 THE DEFENDANT: Yes, Your Honor.

16 THE COURT: And the Government has provided to the  
17 court with a sentencing sheet. Mr. Harris, I take it your  
18 estimated guidelines calculation is set forth on that sheet?

19 MR. HARRIS: That's correct.

20 THE COURT: And you've calculated a base offense  
21 level of 4, less four points for minimal role, less two points  
22 for acceptance of responsibility for a total offense level of 8  
23 which would carry a range of imprisonment of zero to six months  
24 assuming the defendant falls within criminal history category  
25 one. Is that right?

1                   MR. HARRIS: That's correct, Judge. The base offense  
2 level is 14. I believe you said 4.

3                   THE COURT: Did I misspeak? I meant 14 minus four,  
4 minus two.

5                   MR. HARRIS: Yes, Judge.

6                   THE COURT: All right. And Mr. Kirchheimer, have you  
7 done your own calculation under the guidelines?

8                   MR. KIRCHHEIMER: Yes, Judge.

9                   THE COURT: And what is your calculation?

10                  MR. KIRCHHEIMER: It's the same except for the fact  
11 that the Government excludes the safety valve which if we end  
12 up doing that will be an extra two points off making it 6  
13 instead of 8, but still zero to six.

14                  THE COURT: It would be the same range.

15                  MR. KIRCHHEIMER: Because that's the lowest possible  
16 range. And I think the court misspoke when you say the judge  
17 can go either higher or lower than --

18                  THE COURT: Well, in this case he --

19                  MR. KIRCHHEIMER: He can't go lower.

20                  THE COURT: -- he can't go lower. I said that before  
21 I looked at the estimates.

22                  Ms. Keeney, you should understand that parole has  
23 been abolished and that if you're sentenced to prison, you will  
24 not be released on parole. Do you understand that?

25                  THE DEFENDANT: Yes, Your Honor.

1                   THE COURT: Do you have any questions that you'd like  
2 to ask me about the charges, your rights, or anything else  
3 relating to this matter?

4                   THE DEFENDANT: No, Your Honor. I can't think of  
5 anything.

6                   THE COURT: Are you ready to plead?

7                   THE DEFENDANT: Yes, Your Honor.

8                   THE COURT: Mr. Kirchheimer, do you know any reason  
9 why Ms. Keeney should not plead guilty?

10                  MR. KIRCHHEIMER: No, Judge.

11                  THE COURT: Are you aware of any viable legal defense  
12 to either charge?

13                  MR. KIRCHHEIMER: Until the moment when she stands up  
14 and she admits knowledge, there isn't going to be any direct  
15 evidence of knowledge [inaudible] legal defense.

16                  THE COURT: But you've concluded after discussing the  
17 matter with her that it's in her interest to plead guilty?

18                  MR. KIRCHHEIMER: Yes.

19                  THE COURT: Ms. Keeney, what is your plea to Count 1  
20 of the indictment, the importation of cocaine charge; guilty or  
21 not guilty?

22                  THE DEFENDANT: Guilty.

23                  THE COURT: What is your plea to Count 2 of the  
24 indictment, the cocaine with intent to distribute charge;  
25 guilty or not guilty?

1                   THE DEFENDANT: Guilty.

2                   THE COURT: Are you making these pleas of guilty  
3 voluntarily and of your own free will?

4                   THE DEFENDANT: Yes, Your Honor.

5                   THE COURT: Has anyone threatened or forced you to  
6 plead guilty?

7                   THE DEFENDANT: No, Your Honor.

8                   THE COURT: Other than the agreement with -- have  
9 there been any promises that have caused you to plead guilty?

10                  THE DEFENDANT: No, Your Honor.

11                  THE COURT: Have any promises been made as to what  
12 your sentence will be?

13                  THE DEFENDANT: No, Your Honor.

14                  THE COURT: Again, Count 1 charges that on January  
15 20, 2015 you knowingly and intentionally imported cocaine into  
16 the United States. Did you in fact do that?

17                  THE DEFENDANT: Yes, Your Honor, I did.

18                  THE COURT: And Count 2 that on that same date you  
19 knowingly and intentionally possessed cocaine with the intent  
20 to distribute it. Did you do that?

21                  THE DEFENDANT: Yes, Your Honor.

22                  THE COURT: Would you tell me in your own words what  
23 you did that makes you guilty of those two offenses?

24                  THE DEFENDANT: I went with a dear friend, or who I  
25 thought was a dear friend, to Jamaica.

1                   THE COURT: West Indies?

2                   THE DEFENDANT: Okay.

3                   THE COURT: As opposed to Jamaica, New York, Queens.

4                   THE DEFENDANT: Yes.

5                   THE COURT: West Indies?

6                   THE DEFENDANT: Yes. And he arranged for me to get  
7 cocaine and smuggle it in, back into the United States, and  
8 that's exactly what I did.

9                   THE COURT: And you knew that it was cocaine that  
10 you --

11                  THE DEFENDANT: I knew that it was cocaine that he  
12 was giving me.

13                  THE COURT: And how did you travel to the United  
14 States? By plane?

15                  THE DEFENDANT: By plane.

16                  THE COURT: You arrived at JFK Airport?

17                  THE DEFENDANT: Yes, I did.

18                  THE COURT: And was that on January 20<sup>th</sup> of this year?

19                  THE DEFENDANT: Yes, it was.

20                  THE COURT: And how did you -- I take it you hid the  
21 cocaine?

22                  THE DEFENDANT: Yes. He put it in balloons.

23                  THE COURT: And you swallowed it?

24                  THE DEFENDANT: Swallowed it.

25                  THE COURT: And it was when you entered the United

1 States with those drugs, it was your intention upon arriving  
2 the United States to have the drugs handed off to some other  
3 person?

4 THE DEFENDANT: Yes.

5 THE COURT: And you knew it was wrong to do that?

6 THE DEFENDANT: Yes, I did.

7 THE COURT: Mr. Harris, is there any further inquiry  
8 you'd like me to make of the defendant?

9 MR. HARRIS: No, Your Honor.

10 THE COURT: Based on the information provided to me,  
11 I find that Ms. Keeney is acting voluntarily, that she fully  
12 understands her rights and the consequences of her plea, and  
13 that there is a factual basis for the plea to each of the two  
14 counts. I therefore recommend acceptance of the pleas of  
15 guilty to Counts 1 and 2.

16 We have a date for sentence June 25<sup>th</sup> at 9:30 a.m.  
17 before Judge Johnson. In the interim, the Probation Department  
18 will be preparing a pre-sentence report. Ms. Keeney, I urge  
19 you to cooperate with the probation officer.

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: Is there anything open issue about any  
22 personal effects taken from Ms. Keeney at the time of her  
23 arrest?

24 THE DEFENDANT: Yes. There's a duffle bag full of  
25 stuff.

1                   THE COURT: And I take it the contents have been  
2 inventoried and reviewed?

3                   THE DEFENDANT: Oh, I'm sure they have.

4                   MR. HARRIS: I haven't seen anything but I believe  
5 that is the case.

6                   THE COURT: Mr. Kirchheimer, have you reviewed an  
7 inventory with your client?

8                   MR. KIRCHHEIMER: I didn't actually see any notes of  
9 that in my --

10                  THE COURT: All right. I'd ask Mr. Harris to re-  
11 serve the inventory on Mr. Kirchheimer --

12                  MR. HARRIS: Yes, Your Honor.

13                  THE COURT: -- so that he can review it with his  
14 client. And is there any reason why the duffle bag would have  
15 to be maintained by the Government or can it be returned to the  
16 defendant?

17                  MR. HARRIS: No, there's no reason, Your Honor.

18                  THE COURT: All right. So why don't you make those  
19 arrangements before sentence.

20                  All right. Is there anything further?

21                  MR. HARRIS: Nothing from the Government.

22                  MR. KIRCHHEIMER: No, Judge.

23                  THE COURT: Okay. Thank you very much.

24                  THE DEFENDANT: Thank you, Your Honor.

25 (Proceedings concluded at 2:33 p.m.)

25

1 I certify that the foregoing is a court transcript from an  
2 electronic sound recording of the proceedings in the above-  
3 entitled matter.

4 *Mary Greco*  
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6 Mary Greco

7 Dated: March 29, 2015

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